

JOURNAL OF THE HOUSE.

Thursday, August 30, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Lord, God, each day we try, with Your ever-available help, to resolve, to the best of our ability, our legislative and personal responsibilities in a successful and honorable manner. Your assistance enables us to seek fairness, truth and accurate data in addressing all issues. This weekend we will celebrate Labor Day, a national holiday. We are grateful for the long history of the dedication and creativity of American workers, women and men. We are grateful, too, for the cooperation which exists between labor and management. This reality will ensure national prosperity and new employment opportunities for all people in the years ahead.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Jonathan Alan Selling.

Resolutions (filed by Mr. Ross of Wrentham) congratulating Jonathan Alan Selling of Wrentham upon his elevation to the rank of Eagle Scout;

Cathy Casavant.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Cathy Casavant of receiving the Gold Award of the Girl Scouts of America;

Charlotte Anderson.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Charlotte Anderson on receiving the Gold Award of the Girl Scouts of America;

Kaitlin Andrews.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Kaitlin Andrews of receiving the Gold Award of the Girl Scouts of America; and

Karley Searles.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Karley Searles on receiving the Gold Award of the Girl Scouts of America;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Greene of Billerica, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Ms. Wolf of Cambridge presented a petition (accompanied by bill, House, No. 4226) of Alice K. Wolf and others (with the approval of the city council) for legislation to authorize the owners of Three Fuller Place in the city of Cambridge to file an abatement application for two previous years; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence.

Cambridge, tax abatement.

Petitions severally were presented and referred as follows:

By Mr. Correia of Fall River, petition (subject to Joint Rule 12) of Robert Correia and others for legislation to establish the mature worker business council within the Department of Workforce Development.

Mature worker business council.

By the same member, petition (subject to Joint Rule 12) of Robert Correia and others that the Secretary of Elder Affairs be authorized to make certain grants for the support of programs for mature workers and volunteer work of elderly persons.

Elderly, working and volunteering.

By Mr. Costello of Newburyport, joint petition (subject to Joint Rule 12) of Michael A. Costello and Steven A. Baddour that the Division of Capital Asset Management and Maintenance be directed to lease certain property located in the city of Newburyport to said city for use as a park and learning center for children.

Newburyport, land transfer.

By Mr. Fagan of Taunton, petition (subject to Joint Rule 12) of James H. Fagan for legislation to authorize clerk magistrates to conduct arraignments and appoint certain counsels.

Clerk magistrates, responsibilities.

By the same member, petition (subject to Joint Rule 12) of James H. Fagan that cities and towns be authorized to assist eligible veterans in the payment of certain electrical expenses.

Veterans, electrical expenses.

By Ms. Grant of Beverly, petition (subject to Joint Rule 12) of Mary E. Grant and others for legislation to include certain employees of the cities of Beverly, Peabody and Salem as members of the board of the South Essex Sewerage District.

South Essex Sewer District.

By Mr. LeDuc of Marlborough, petition (subject to Joint Rule 12) of Stephen P. LeDuc for legislation to transfer the city of Marlborough to the Metrowest Regional Transit Authority.

Marlborough, transit authority.

By Ms. Spiliotis of Peabody, petition (subject to Joint Rule 12) of Joyce A. Spiliotis for legislation to regulate the mailing of season tickets by professional sports organizations.

Sporting event, tickets.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The Senate Bill further regulating access to birth certificates (Senate, No. 63, amended) came from the Senate with the endorsement that said branch had concurred with the House in it amendment (striking out sections 2, 3 and 4, as printed) and inserting in place thereof the following section:

Birth certificates, access.

"SECTION 3. Paragraph (h) of section 13 of said chapter 46, as so appearing in the 2006 Official Edition, is hereby amended by striking out the eleventh sentence and inserting in place thereof the following 2 sentences:— If the original records has been amended following adoption in accordance with this section, the clerk or state

Birth certificates, access.

registrar shall issue information contained in the original record only upon receipt of an order of the probate court for the county in which said adoption was granted or in accordance with section 2B, or in the case of an adoption granted outside the commonwealth, upon order of the probate court for the county in which said birth occurred or in accordance with said section 2B, instructing said clerk or state registrar to release the information contained in such original record. Evidence contained in the adoption record of a parent's willingness to provide information about her identity to the adopted person shall, except in extraordinary circumstances, be considered sufficient evidence to warrant the granting of an order for release of the information contained in the birth certificate registered prior to adoption." (as changed by the Senate committee on Bills in the Third Reading) with the following further amendment:

In section 1 (as printed) adding at the end thereof the following paragraph:

"Section 2C. If an adopted person is deceased, his child, if 18 years or older, or such child's parent or guardian if such child is less than 18 years of age, shall be eligible to apply for the information his adopted parent would have access to under section 2B and to participate in the adoption contact information registry pursuant to section 31."

The bill bore the further endorsement that said branch had non-concurred with the House in its amendment adding at the end of said section 1 (as printed) the following paragraph:

"(c) Any child of a deceased parent who was adopted shall have the rights enumerated in this section".

Under suspension of Rule 35, on motion of Mr. Lepper of Attleboro, the further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

On further motion of the same member, the House then receded from its amendment adding a paragraph (c).

A Bill relative to recall elections in the town of Holbrook (Senate, No. 2304) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2329) of Steven C. Panagiotakos, David M. Nangle, Kevin J. Murphy and Thomas A. Golden, Jr. (with the approval of the city manager and the city council) for legislation to authorize the city of Lowell to pay a certain court judgment, was referred, in concurrence, to the committee on Municipalities and Regional Government.

A petition of Stephen M. Brewer, Stanley C. Rosenberg, Stephen J. Buoniconti, Christopher J. Donelan and other members of the General Court for legislation relative to members of the Executive Council, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Holbrook,
recall
elections.

Lowell,
court
judgment.

Executive
Council
members.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2332) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Elizabeth A. Malia for legislation to establish a sick leave bank for Karen Rice, and employee of the teachers' retirement system. Under suspension of the rules, on motion of Ms. Provost of Somerville, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Karen
Rice,
sick leave.

Hudson,
fire chief.

By Mr. Kaufman of Lexington, for the committee on Public Service, on the joint petition, a Bill exempting the positions of fire chief and deputy fire chief in the town of Hudson from the civil service law (House, No. 3957) [Local Approval Received].

Wrentham, fire
fighters.

By the same member, for the same committee, on the joint petition, a Bill including certain members of the fire department of the town of Wrentham under the civil service law (House, No. 4078) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Orders of the Day.

Senate bills

Authorizing the town of Rehoboth to grant a license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2270); and

Relative to elections in the city of Lowell in 2007 (Senate, No. 2323);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Third
reading
bills.

ii

House bills

Relative to elections in the town of Merrimac (House, No. 3947); and

Relative to the town of Duxbury (House, No. 4098);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Further regulating access to birth certificates (see Senate, No. 63, amended);

Relative to elections in the city of Lowell in 2007 (see Senate, No. 2323);

(Which severally originated in the Senate); and

Bills
enacted.

Bills
enacted.

Designating a certain bridge in the town of Freetown as the Joseph F. Simmons, Jr. bridge (see House, No. 3643, changed) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

Next
sitting.

At twenty-six minutes after twelve o'clock noon, on motion of Mr. Perry of Sandwich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.